

REMARKS

Reconsideration and allowance are respectfully requested.

Applicant appreciates the Interview courteously granted by Examiner Huy Mai to James Wray and Meera Narasimhan. Attached hereto is a copy of the PCT International Search Report which was also given to the Examiner at the Interview.

The above amendment to claims 54 and 83 addresses the issues on pages 2-3 of the office action. No new matter has been added. Entry and allowance are requested.

Claims 2-95 are patentable under 35 U.S.C. 103(a) over Reedy et al. (US Patent 5,966,746) and Wiener et al. (US PUB. 2004/0011363).

As pointed out at the Interview, Wiener and Reedy cannot be combined in the manner proposed by the Examiner because their teachings are mutually contradictory and because there is no teaching, suggestion or motivation within the references to combine the two teachings.

The Examiner agreed that the two references cannot be combined. See the Interview Summary attachment in which the Examiner concedes that the references cannot be combined.


Therefore the only rejection in the office action under 35 U.S.C. 103(a) must fail. Claims 2-95 are patentable over Reedy and Wiener.

Nothing in the references, either singly or in combination, teaches or suggests the claimed features. Therefore, the references cannot anticipate nor render obvious the present

invention as claimed.

Since Applicant has presented a novel, unique and non-obvious invention, reconsideration and allowance are respectfully requested.

Respectfully,



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INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/31754

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G02C 11/08; A61F 9/02

US CL : 351/62; 2/435, 436, 437

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 351/41, 44, 62, 158; 2/435, 436, 437

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
NONEElectronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|------------------------------------------------------------------------------------|-----------------------|
| X | US 5,966,746 A (REEDY et al) 19 October 1999 (19.10.99), Figs. 5-8, columns 3-5. | 1-7, 10-49 |
| Y | | 8, 9, 50-53 |
| Y, P | US 6,543,450 B1 (FLYNN) 8 April 2003 (08.04.03), Fig. 4, columns 8-10. | 8, 9, 50-53 |
| X | US 2001/0029623 A1 (TSUBOOKA) 18 October 2001 (18.10.01), see entire document. | 1-7, 10-49 |
| A | US 6,049,917 A (RYDEN) 18 April 2000 (18.04.00), see entire document. | 1-53 |
| X | US 6,076,196 A (MASUMOTO) 20 June 2000 (20.06.00), see entire document. | 1-7, 10-49 |
| A | US 5,115,804 A (BROOKMAN) 26 May 1992 (26.05.92), see entire document. | 1-53 |

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

B earlier application or patent published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

Z document member of the same patent family

Date of the actual completion of the international search

11 March 2004

Date of mailing of the international search report

18 JUN 2004

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